

**AN ORDINANCE AMENDING THE WATER AND SEWER RATES
AND OTHER CHARGES FOR THE CITY OF GREENVILLE, KENTUCKY**

Whereas, the Greenville Utilities Commission and the City of Greenville, Kentucky ("the City") wish to amend the Ordinance entitled "An Ordinance Amending the Water and Sewer Rates and Other Charges for the City of Greenville, Kentucky", dated March 12, 2015, in order to provide that, following the passage of this ordinance, in the event a new customer's residence or establishment to be served by the City of Greenville water works shall be located outside the corporate City limits, then in order for the customer to obtain service, the customer, or the owner, if the customer is not the owner, shall first consent to have the property upon which the residence or establishment is located annexed into the City, at which time the City may elect, in its sole discretion, to annex the property where such annexation is in the best interest of the City, and, in order to provide that new customer deposits for a residence or establishment other than restaurant or car wash be \$150.00 payable in three consecutive monthly installments.

Now, therefore, be it ordained by the City of Greenville, Kentucky that the Ordinance entitled "An Ordinance Amending the Water and Sewer Rates and Other Charges for the City of Greenville, Kentucky", dated March 12, 2015, is amended as follows:

DEFINITIONS:

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation or organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

"Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 200 mg/l and a suspended solids concentration of not more than 200 mg/l and any other pollutant, to be determined when required by an industrial user.

"Operation and Maintenance" shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and for which such works were designated and constructed. The term "operation and maintenance" includes replacement as defined in Section 4.

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designated and constructed.

"Residential User" shall mean any contributor to the Greenville's treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.

"Commercial User" shall mean all retail stores, restaurants, office buildings, laundries, and other private businesses and service establishments.

"Industrial User" (IU) shall mean a source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Clean Water Act.

"Institutional User" shall include social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

"Governmental User" shall include legislative, judicial, administrative, and regulatory activities of Federal, State and Local governments.

"Shall" is mandatory; "May" is permissive.

"SS" (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

"Treatment Works" shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal wastewater, domestic wastewater or liquid industrial wastes. These include intercepting sewers, outfall sewers, wastewater collection systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for the ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

"Useful Life" shall mean the estimated period during which a treatment works will be operated.

"User Charge" shall mean the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, replacement and debt service expenses of the wastewater treatment works.

"Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed by a user and approved by the City of Greenville.

"Debt Service" shall mean charges levied on users of the wastewater treatment works to support the annual debt service obligations of the system.

SECTION I. That all bills rendered by the Utilities Commission of the said City on or after April 1, 2015, shall be rendered according to the following monthly water rates and charges which are for the use and service of said municipal water works of the City of Greenville, Kentucky, and which shall be as follows:

a. Inside City limits: The following monthly water rates and charges are hereby established as a schedule of monthly rates or charges which are for the use and service of the municipal water works of the City, and shall be as follows:

MONTHLY WATER RATES (Inside the city)

First 1,000 gallons or less per month	\$10.33 (minimum charge without surcharge)
Next 1,000 gallons per month	\$6.00
Next 3,000 gallons per month	\$5.75
Next 5,000 gallons per month	\$5.50
Next 40,000 gallons per month	\$5.25
Over 50,000 gallons per month	\$5.00

b. Outside City limits: In the event that the customer's residence or establishment served by the City of Greenville water works shall be located outside the corporate City limits, there shall be a charge of two dollars (\$2.00) per month in addition to the above rates for those customers who are receiving service prior to the passage of this ordinance. The monthly water rate for customers whose service shall commence following the passage of this ordinance shall be calculated at the existing rates charged by the Muhlenberg County Water District. The minimum water bill for retail users beyond the city limits shall be \$17.58 (without the monthly surcharge) for all users that began service prior to July 1, 1999. Thereafter, the following metered charges shall be made for each one thousand (1000) gallons of water used by customers of all sized connections:

Number of gallons per month	Monthly charge per 1,000 gallons
First 2,000 gallons	\$17.58 (minimum charge without surcharge)
Next 3,000 gallons per month	\$5.75
Next 5,000 gallons per month	\$5.50
Next 40,000 gallons per month	\$5.25
Over 50,000 gallons per month	\$5.00

c. The water bill for retail service beyond the city limits for customers that began service on or after July 1, 1999, shall be calculated at the rates charged by the Muhlenberg County Water District One.

d. Sprinkler systems: In addition to the water rates set forth above, the following additional charges shall be assessed:

Water use through an unmetered sprinkling system for testing, or by reason of leaks or fire, or for any other reason, shall be charged to the consumer by an

estimate from the City of Greenville. However, should the water consumption be due to a fire and the sprinkling devices have functioned correctly for those buildings within the City limits of Greenville, there will be no charge for such water consumed as an extension of the City fire protection. It shall be the duty of the consumer of water through unmetered sprinkling systems to inform the Superintendent of the Water Department, City of Greenville Utilities Commission of its consumption of water for whatever reason, through such sprinkler system. As a minimum connection fee all unmetered sprinkler systems shall pay a monthly charge of Ten Dollars (\$10.00) per month.

e. Public Fire Hydrant Rental: Forty Dollars (\$40.00) per hydrant per year, payable monthly.

f. Additional Charges: There shall be the following additional charges paid to the Utilities Commission for the following services:

New Customers:	Deposit of [\$100.00] <u>\$150.00, payable in three consecutive monthly installments</u> , for residence or establishment other than restaurant or car wash. Deposit of \$300.00 for restaurant. Deposit of \$300.00 for car wash.
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Connection to City waterline:	\$600.00 for ¾" meter; \$600.00 for 5/8" meter: all other sizes of meters shall be charged at the hourly rate of the Commission employees deemed necessary by the Commission to connect the meter plus the cost of materials used.
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Re-connection to City waterline:	\$50.00.
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Connection of sprinkler system to waterline:	\$10.00 per month shall be paid by each customer with a sprinkler system installed in its residence or establishment.
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Connection to City sewerline:	\$500.00, except where a connection is over five (5) feet in depth, in which case the connection shall be charged at the hourly rate of the Commission employees deemed necessary by the Commission for the connection plus the cost of materials used, and in such instance the minimum charge shall be \$500.00; charges are subject to availability of sewer service to the property.
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g. Meter Deposits: In addition to connection charges as aforesaid, all customers, except resident property owners shall pay a meter deposit to the City for water service before such customers shall be entitled to such service. The meter deposit shall be \$300.00 for residential and commercial customers. Such deposits, less

any unpaid charges, shall be refunded to the customer, his or her assigns, whenever such customer notifies the city legally to disconnect or terminate service to such customer. No meter deposit shall be required of resident property owners.

h. Each customer, whether inside the city limits or outside the city limits, shall pay a surcharge of \$1.00 per month which shall be added to the water bill.

i. The rates or charges as aforementioned shall apply to all residential and other establishments in any manner connected with the municipal water works of said City, and any person, firm or corporation charged with the foregoing rates being dissatisfied therewith by reason of particular or unusual services from said water works may file application with the City Council for special classification, rates or charges and said City Council at any time may establish special rates or other charges by reason of particular or unusual use and occupancy of premises as a class.

j. The rates or charges aforesaid shall be billed monthly and all bills for services shall be payable when rendered, except that charges for connection to City waterlines and sewerlines and deposits by new customers shall be paid prior to such connection. If any such bill as aforesaid is not paid within fifteen (15) days following the date rendered, it shall be deemed delinquent and a delay penalty of 10% of the amount of such bill shall attach and be payable in addition to the amount of such bill. The Utilities Commission of said City in charge of the control and operation of said water works shall render the bills for water works services as aforesaid and same shall be collected and accounted for in the manner as prescribed by law. When any bill has remained unpaid for twenty (20) days after rendition of the water services to the premises involved in such delinquent charges shall be disconnected until such time as all delinquent charges plus a reconnection charge of Fifty (\$50.00) are paid in full.

k. That the rate or charges aforesaid shall be billed to the owners of the premises, provided that upon application by the tenant of any premises who is not the owner filed with the Utilities Commission of said City in charge of the control and operation of said water works accompanied by appropriate secured or indemnity in an amount and of a kind approved by the Utilities Commission aforesaid, such bills may be rendered to the tenant.

l. That the foregoing rates or charges shall be revised from time to time as may be necessary in order that the City may comply with the covenants and undertakings securing Revenue Bonds and other loans of said City and that this ordinance becomes effective immediately upon its adoption, approve and publication or posting as provided by law.

m. Neither the City nor the Utilities Commission guarantees uninterrupted water service to its customers and neither the City nor the Utilities Commission shall be liable for any damages of any kind resulting from an interruption of water service to its customers.

n. Following the passage of this ordinance, in the event a new customer's residence or establishment to be served by the City of Greenville water works shall be located outside the corporate City limits, then in order for the customer to obtain service, the customer, or the owner, if the customer is not the owner, shall first

consent to have the property upon which the residence or establishment is located annexed into the City, at which time the City may elect, in its sole discretion, to annex the property where such annexation is in the best interest of the City.

MONTHLY SEWER RATES

SECTION I: Findings of fact and basis of sewer charges:

The City of Greenville has adopted a wastewater user charge system to insure an equal distribution among wastewater customers of the operation, maintenance and replacement (O M & R) costs of the wastewater system. The user charge system is attached hereto and incorporated herein by reference.

SECTION II: Sewer rates:

Except as specifically noted herein, residential and industrial users shall pay sewage service rates based on water purchased from the city in addition to a single fee per customer. Charges shall be fixed on a monthly basis as follows:

a. All customers other than wholesale customers beyond the City limits shall be billed a fixed amount of five and 49/100 dollars (\$5.49) per month for each sewer connection and six and 00/100 dollars (\$6.00) per month based on water usage for each one thousand (1000) gallons of water consumption. These rates consist of a fixed amount of five and 35/100 dollars (\$5.35) in addition to one and 32/100 dollars (\$1.32) for each one thousand gallons of water consumption for debt service and four dollars and sixteen cents (\$4.16) for each one thousand gallons of water consumption for Operations, Maintenance and Replacement (O, M & R). The minimum sewer bill for all customers shall be sixteen and 32/100 dollars (\$16.32) based on a water usage of two thousand (2,000) gallons or less each month.

In the event the customer is not being served by a public water supplier, the sewer rate shall be the same rate, which would be charged for similar residence or establishment with similar water usage as determined by the Commission.

Should the Commission provide sewer services to multiple residences or multiple establishments outside the City limits, and payment of the monthly rates shall be made by a corporation or other entity on behalf of all the residences and/or establishments, the Commission may set a flat rate per customer based on the number of customers and their usage. The corporation or other entity responsible for payment of the monthly rate shall provide the Commission the annual water usage history, or other pertinent information for each customer, residence or establishment upon request.

Should the Commission provide sewer services to a facility outside the City limits which is owned or operated by the state or federal government, a local government, agency thereof, school board, or other public entity, as determined by the Commission, the monthly rate shall be equal to the rate charged in accordance with the monthly water rates hereinabove if the facility were served by the City of

Greenville Water Works. The government agency, board or public entity shall provide the Commission the amount of monthly water usage by the facility upon request.

b. Wholesale customers beyond the City limits shall, as a minimum, be billed for operation, maintenance and replacement costs of the sewer system. The bill for wholesale customers beyond the city limits shall be three and 20/100 (\$3.20) per one thousand (1000) gallons based on reading of a wastewater meter.

c. For residential, industrial, institutional and commercial uses, monthly user charges will be based on a fee of \$5.49 and charges of \$6.00 per thousand (1000) gallons of actual water usage. If a residential, industrial, institutional or commercial user has a consumptive use of water, or in some other manner, use water which is not discharged into the wastewater collection system, the user charge for that contribution may be based on reading of a wastewater meter for that portion of the billing based on water usage. Installation and maintenance of a wastewater meter will be at the users' expense.

d. At this time, there are no industrial discharges into the wastewater treatment plant. A surcharge shall be added when the Utilities Commission shall determine that it is necessary to control or prevent discharges harmful to the system.

e. No reduction in sewage service charge, fees or taxes shall be permitted because of the fact that certain wastes discharged into the sewage works contain less than mg/l of BOD, mg/l of SS or mg/l of ammonia nitrogen.

BILLING AND PAYMENT

SECTION I:

The rates or charges aforesaid shall be billed monthly and all bills for such services shall be payable when rendered, except that charges for connection to City waterlines and sewerlines and deposits by new customers shall be paid prior to such connection. If any such bill as aforesaid is not paid within fifteen (15) days following the date rendered, it shall be deemed delinquent and a delay penalty of 10% of the amount of such bill shall attach and be payable in addition to the amount of such bill. The Utilities Commission of said City in charge of the control and operation of said water works shall render the bills for water works services as aforesaid and same shall be collected and accounted for in the manner as prescribed by law and the proceedings pursuant to which the Utilities Revenue Bonds of said City have been issued, and the provisions of the said bonds. When any bill has remained unpaid for twenty (20) days after rendition the water services to the premises involved in such delinquent charges shall be disconnected and until such time as all delinquent charges plus a reconnection charge of Fifty Dollars (\$50.00).

SECTION II:

That the rate or charges aforesaid shall be billed to the owners of the premises, provided that upon application by the tenant of any premises who is not the owner filed with the Utilities Commission of said City in charge of the control and operation of said water works accompanied by appropriate secured or indemnity in an amount

and of a kind approved by the Utilities Commission aforesaid, such bills may be rendered to the tenant.

SECTION III:

That the foregoing rates or charges shall be revised from time to time as may be necessary in order that the City may comply with the covenants and undertakings securing said Utilities Revenue Bond of said City and that this ordinance becomes effective immediately upon its adoption, approve and publication or posting as provided by law.

SECTION IV:

No free use of the sewer works and facility of the sewer shall be granted or permitted to any users thereof.

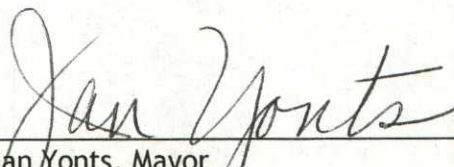
SECTION V:

Neither the City nor the Utilities Commission guarantees uninterrupted water service to its customers and neither the City nor the Utilities Commission shall be liable for any damages of any kind resulting from an interruption of water service to its customers.

First reading: June 11, 2015

Second reading: July 8, 2015

Adopted: July 8, 2015



Jan Yonts, Mayor
City of Greenville, Kentucky

ATTEST:



Ben Van Hooser, Clerk

Voting yea: Councilmembers Curry, Lewis, Sparks, Travis, Walters, West

Voting nay: none

**SUMMARY OF AN ORDINANCE AMENDING THE WATER AND SEWER RATES
AND OTHER CHARGES FOR THE CITY OF GREENVILLE, KENTUCKY**

1. The title of the Ordinance being amended is "An Ordinance Amending the Water and Sewer Rates and Other Charges for the City of Greenville, Kentucky". The Ordinance was dated March 12, 2015.

2. Section I of the Ordinance is amended to make the following changes, effective upon passage of this ordinance:

a. Subparagraph f of Section I of said Ordinance is amended as follows:

f. Additional Charges: There shall be the following additional charges paid to the Utilities Commission for the following services:

New Customers: Deposit of [~~\$400.00~~] \$150.00, payable in three consecutive monthly installments, for residence or establishment other than restaurant or car wash.
Deposit of \$300.00 for restaurant.
Deposit of \$300.00 for car wash.

Connection to City waterline: \$600.00 for 3/4" meter; \$600.00 for 5/8" meter; all other sizes of meters shall be charged at the hourly rate of the Commission employees deemed necessary by the Commission to connect the meter plus the cost of materials used.

Re-connection to City waterline: \$50.00.

Connection of sprinkler system to waterline: \$10.00 per month shall be paid by each customer with a sprinkler system installed in its residence or establishment.

Connection to City sewerline: \$500.00, except where a connection is over five (5) feet in depth, in which case the connection shall be charged at the hourly rate of the Commission employees deemed necessary by the Commission for the connection plus the cost of materials used, and in such instance the minimum charge shall be \$500.00; charges are subject to availability of sewer service to the property.

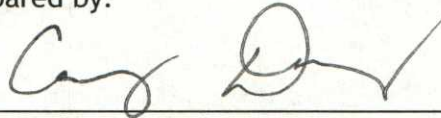
b. There is added to Section I of said Ordinance a new paragraph n as follows:

n. Following the passage of this ordinance, in the event a new customer's residence or establishment to be served by the City of Greenville water works shall be located outside the corporate City limits, then in order for the customer to obtain service, the customer, or the owner, if the customer is not the owner, shall first consent to have the property upon which the residence or establishment is located annexed into the City, at which time the City may elect, in its sole discretion, to annex the property where such annexation is in the best interest of the City.

Except as provided herein, the Ordinance was not amended.

Dated: July 8, 2015.

Prepared by:

A handwritten signature in black ink, appearing to read 'Cary Davis', is written over a horizontal line.

Cary Davis, City Attorney